

4. Det. Holzerland asked Cook where he was from. Cook stated that he was from "baltimore." Shortly thereafter, Cook asked Det. Holzerland if he wanted to meet. The dialogue continued and Cook stated that he wanted to meet "so we can have fun."

5. Cook asked Det. Holzerland, as the webcam continued to broadcast, if he would "like this dick in your mouth?" Det. Holzerland responded by stating: "it's kinda big and how would it fit." Cook told Det. Holzerland that he "could try licking it first."

6. Cook wrote Det. Holzerland that "u could do sexual experiments on me." Det. Holzerland asked: "such as." Cook responded: "riding my dick." Det. Holzerland told Cook: "nvr dun that." Cook replied: "first I lick your pussy..then I put my dick in."

7. Later during the chat, Cook stated: "wish I could talk to u on the phone." Det. Holzerland responded: "maybe soon we could." Cook also expressed concern that "u could be msn."

8. On February 23rd 2009, Det. Holzerland sent an instant message to Cook stating: "u up dante?" Cook had previously told Det. Holzerland that his name was "dante." Cook engaged in conversation and then began to stream a webcam which depicted a black male receiving oral sex from a white female.

9. On February 26th 2009, Cook sent an instant message to Det. Holzerland stating "call me" and provided the telephone number "xxx-xxx-4424." Det. Holzerland then asked a female undercover detective ("UC-1") to place a phone call to this number pretending to be a 14 year old girl. During the telephone conversation, "UC-1" told Cook that she was 14 years old and asked him if that bothered him. Cook said "No" and also asked "UC-1" if his age bothered her.

10. On February 26th 2009, Cook asked "UC-1" what she was doing on Saturday and if she wanted to meet him. "UC-1" asked Cook what they would do. Cook responded that they could get a room and asked her if she would like to do some of the things they chatted about. Det. Holzerland then sent Cook a composite picture of a 12 year old girl. "UC-1" had told Cook that the picture was of her and was about a year and a half old. Cook acknowledged to Det. Holzerland that he had received the picture and said: "mmm nice, very cute."

11. On February 27th 2009, a phone call was placed to xxx-xxx-4424 by "UC-1." Cook told "UC-1" that his dick was getting hard just talking to her and thinking about tomorrow. Cook also told "UC-1" that he wanted to eat her pussy. According to "UC-1," Cook also told "UC-1" that he would be the one to get in trouble and go to jail because he wasn't supposed to be having sex with somebody so young.

12. At approximately 12:00pm on February 28th 2009, a phone call was received from telephone number xxx-xxx-4424. Cook told "UC-1" that he was in his car and would be there around 1:30.

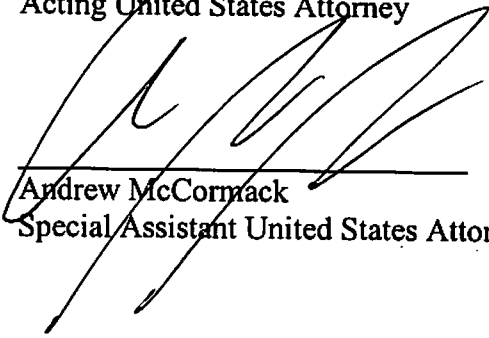
13. On February 28th 2009, FBI Agents and Task Force officers were conducting surveillance in the area of the proposed Panera restaurant meeting location when a black Honda Civic with Maryland license plates being operated by a black male pulled into the parking lot and began to circle around. Det. Holzerland was previously told by Cook that he operated a black Honda Civic. The Honda Civic pulled behind the Panera where the meeting was supposed to occur. FBI Agents attempted to block the Honda Civic in with another other vehicle but the driver was able to escape and fled the area in his vehicle at a high rate of speed. The driver was apprehended a short while later after a brief foot pursuit. During a search incident to arrest, the driver was identified as Cook by his driver's license.

14. Cook was interviewed later by Det. Holzerland and FBI Special Agent Sharon Huber. He admitted that he was “gnads_08” and that he had been chatting online with “Lisa.” He also disclosed that he had previously rented a hotel room at the Best Western in Leesburg and had travelled to Leesburg, Virginia from Baltimore, Maryland. During a consent search of the hotel room, a condom and Mapquest directions from Mr. Cook’s address in Baltimore to the Panera Bread were discovered.

15. Defendant engaged in the conduct outlined above knowingly and intentionally and not by accident or mistake.

Respectfully submitted,

Dana Boente.
Acting United States Attorney



Andrew McCormack
Special Assistant United States Attorney

Defendant's Signature: After consulting with my attorney and pursuant to the plea agreement entered into this day between Andre Lamont Cook and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 5/14/09

Andre 2 Cook
Defendant Andre Lamont Cook

Defense Counsel Signature: I am counsel for the defendant, Andre Lamont Cook, in this case. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date: 20090514

Richard McWilliams
Richard McWilliams, Esq.
Counsel for Defendant